FORM NLRB-501 (2-18)

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS	SPACE
13-CA-244739	7/11/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in	which the alleged unfair labor practice occurred or is occ	curring.
1. EMPL	OYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer	b. Tel. No.	
Nornat Management Services, Inc. and McDonald	(773) 768-3355	
3		c. Cell No.
		G. Con No.
	×1	f. Fax. No.
d. Address (Street, city, state, and ZIP code)	e Employer Representative	
1951 E. 95th St., Chicago, IL 60617	(b) (6), (b) (7)(C)	g. e-mail
110 N Carpenter St., Chicago, IL 60607		
, i i i i i i i i i i i i i i i i i i i	**	
		h. Number of workers employed
		a) approx 30 b) 100+
i. Type of Establishment (factory, mine, wholesaler, etc.)	j. Identify principal product or service	,
Restaurant	Fast food	
The above-named employer has engaged in and is engaged	•	, ,
(list subsections) (3)	of the National Lab	or Relations Act, and thest unfair labor
practices are practices affecting commerce within the mea	aning of the Act, or these unfair labor practices affecti	ng commerce within the meaning of
the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise state	ement of the facts constituting the alleged unfair labor	practices)
Within the last six months, the above-named joint		
	of partipoation in and support of a labor org	
this action as a means to discourage union activity	and/or membership.	,
	F.	
		"
*		
Full name of party filing charge (if labor organization, g.	ive full name, including local name and number)	
SEIU National Fast Food Workers Union		
4a. Address (Street and number, city, state, and ZIP code	9)	4b. Tel. No.
1800 Masachusetts Ave. NW Rm 6041 M		(202) 730-7327
Washington, DC 20036		4c. Cell No.
		(202) 384-5482
		4d. Fax No.
		4e. e-mail
		olamide.adetunji@seiu.org
E Cull name of notional as international labor accordant	advable it is an affiliate as appatituant unit de la Elle	1
5. Full name of national or international labor organization	t of which it is an annuale of constituent unit (to be imed	o in when charge is filed by a labor organization)
Service Employees International Union		
		T-I N-
	ARATION	Tel. No.
	ve charge and that the statements ny knowledge and belief.	(202) 730-7327
A A A		Office, if any, Cell No.
Hart ST	Olamide Adetunji, Attorney	(202) 384-5482
(signature of representative or person making charge)	(Print/type name and title or office, if any)	Fax No.
		1 40 110
1800 Masachusetts Ave. NW Washington	n DC 20036	
Address	Date 07/11/2019	e-mail
		— olamide.adetunji@seiu.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2005). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

Agency Website: www.nlrb.gov ETelephone: (312)353-7570 Fax: (312)886-1341 M



July 12, 2019

Olamide Adetunji, Attorney SEIU National Fast Food Workers Union 1800 Massachusetts Avenue, NW Washington, DC 20036

Dirksen Federal Building

Chicago, IL 60604-2027

219 South Dearborn Street, Suite 808

REGION 13

Re: Nornat Management Services, Inc. and

McDonald's, USA as joint employers

Case 13-CA-244739

Dear Mr. Adetunji:

The charge that you filed in this case on July 11, 2019 has been docketed as case number 13-CA-244739. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney J. Edward Castillo whose telephone number is (312)353-7586 and e-mail address is <u>edward.castillo@nlrb.gov</u>. If this Board agent is not available, you may contact Deputy Regional Attorney Jessica T. Muth whose telephone number is (312)353-7643.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

<u>Prohibition on Recording Affidavit Interviews:</u> It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. NLRB Form 4541, Investigative Procedures offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

/s/ Paul Hitterman

Paul Hitterman Acting Regional Director

JEC/dg Enclosure: Copy of Charge



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 13 Dirksen Federal Building 219 South Dearborn Street, Suite 808 Chicago, IL 60604-2027

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341 Download NLRB Mobile App

July 12, 2019

(b) (6), (b) (7)(C)

Nornat Management Services, Inc. 1951 East 95th Street Chicago, IL 60617

McDonald's USA 110 North Carpenter Street Chicago, IL 60607

Re: Nornat Management Services, Inc. and

McDonald's, USA as joint employers

Case 13-CA-244739

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by July 25, 2019. If the Board agent later asks for more evidence, I strongly urge you or your

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Preservation of all Potential Evidence:</u> Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

/s/ Paul Hitterman

Paul Hitterman Acting Regional Director

JEC/dg Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

	d 3/21/2011	NATIONAL LABOR REL	Revised 3/21/2011 NATIONAL LABOR RELATIONS BOARD				
QUESTIONNAIRE ON COMMERCE INFORMATION							
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.							
CASE NAME CASE NUMBER							
1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity))			
I. EX	ACT LEGAL TITLE OF ENTITY	(As filed with State and/or stated in leg	al docum	ents forming entity)			
2. T	YPE OF ENTITY						
	DRPORATION [] LLC []	LLP [] PARTNERSHIP [] SO	LE PROP	RIETORSHIP [] OTHER	(Specify)		
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4 77							
6. BR	RIEFLY DESCRIBE THE NATUR	E OF YOUR OPERATIONS (Products	handled o	r manufactured, or nature of sei	rvices performed).		
7. A.	PRINCIPAL LOCATION:	B. BRANCH L	OCATIO	NS:			
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

NORNAT MANAGEMENT SERVICES, INC	ζ,
AND MCDONALD'S, USA AS JOINT	
EMPLOYERS	

Charged Party

and

SEIU NATIONAL FAST FOOD WORKERS **UNION**

Charging Party

Case 13-CA-244739

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 12, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Nornat Management Services, Inc. 1951 East 95th Street Chicago, IL 60617

McDonald's USA 110 North Carpenter Street Chicago, IL 60607

July 12, 2019	Denise Gatsoudis, Designated Agent of
	NLRB
Date	Name

Is Denise Gatsoudis
Signature

From: Castillo, J. Edward

To: Olamide Adetunji

Subject: RE: Case 13-CA-244739: (b) (6), (b) (7)(C) Availability for Affidavit:

Date: Monday, August 12, 2019 3:34:00 PM

Hi Olamide,

I will plan on meeting with (b) (6), (b) (7) (C) at (b) (6), (b) (7) (C) on (b) (6), (b) (7) (C) Please remind any relevant documents to our meeting (b) (6), (b) (7) (C) (C)

Thanks,

Ed

From: Olamide Adetunji <olamide.adetunji@seiu.org>

Sent: Tuesday, July 30, 2019 10:52 AM

To: Castillo, J. Edward < Edward. Castillo@nlrb.gov>

Subject: Re: Case 13-CA-244739: (b) (6), (b) (7)(C) Availability for Affidavit:

Hello Ed:

As promised, I am writing to let you know that (b) (6), (b) (7)(C) is available to give affidavit at (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C). I look forward t hearing back from you to confirm this.

On Thu, Jul 25, 2019 at 2:37 PM Castillo, J. Edward < Edward.Castillo@nlrb.gov > wrote:

Yes, I will be out of the office after today so please send me an email letting me know availability. Thanks.

Ed

From: Olamide Adetunji < olamide.adetunji@seiu.org>

Sent: Thursday, July 25, 2019 12:44 PM

To: Castillo, J. Edward < Edward.Castillo@nlrb.gov>

Subject: Re: Case 13-CA-244739: (b) (6), (b) (7)(C) Availability for Affidavit:

Alright, I will check with live I believe you mentioned that your vacation starts tomorrow, so if I do not hear back from today, I will just send you an e-mail with the understanding that you will see it when you return.

On Thu, Jul 25, 2019 at 1:25 PM Castillo, J. Edward < Edward.Castillo@nlrb.gov > wrote:

Hi Olamide,

I am not available after (b) (6), (b) (7)(C) . Can you let me know if would be available the (b) (6), (b) (7)(C)?

Ed

J. Edward Castillo, Esq. | Field Attorney

United States Government National Labor Relations Board Region 13 219 S. Dearborn Street, Suite 808 Chicago, IL 60604

T: 312.353.7586 | F: 312.886.1341



Please consider the environment before printing this e-mail.

From: Olamide Adetunji < <u>olamide.adetunji@seiu.org</u>>

Sent: Thursday, July 25, 2019 9:51 AM

To: Castillo, J. Edward < <u>Edward.Castillo@nlrb.gov</u>>

Subject: Case 13-CA-244739: (b) (6), (b) (7)(C) Availability for Affidavit:

Hello Ed:

I am writing to follow up on our conversation on Tuesday, July 23, 2019. As I mentioned, I checked with $^{(b)}(6), (b)(7)(C)$ to see whether on either on either $^{(b)}(6), (b)(7)(C)$ on either $^{(b)}(6), (b)(7)(C)$, 2019 works for to come in and give affidavit. According to is not available on (b) (6), (b) (7)(C), but can do any time after (b) (6), (b) (7)(C) . Please let me know if this works for you. If it does not, kindly consider proposing other times that will work for you.

Thank you.

Olamide Adetunji Law Fellow, Fight for \$15 and a Union Service Employees International Union 1800 Massachusetts Avenue, NW Washington, DC 20036

Office: (202) 730-7327 Cell: (202) 384-5482

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Olamide Adetunji Law Fellow, Fight for \$15 and a Union Service Employees International Union 1800 Massachusetts Avenue, NW Washington, DC 20036

Office: (202) 730-7327 Cell: (202) 384-5482 From: Olamide Adetunji
To: Castillo, J. Edward

Subject: Re: Case 13-CA-244739: (0)(6),(0)(7)(C),(0)(7)(D) Availability for Affidavit:

Date: Monday, August 19, 2019 2:02:37 PM

Attachments: Strike Notice Email w- date and time and information about delivery - MCD 1951 E. 95th St.pdf

Hello Ed:

would have been scheduled to begin. Please let me know if you have any additional questions. On Mon, Aug 19, 2019 at 10:52 AM Olamide Adetunji olamide.adetunji@seiu.org wrote: Please see attached below, copies of some documents that I think you might find helpful. The documents include, (b)(6),(b)(7)(C),(b)(7)(D) pay stubs as well as a copy of the Strike Notice that was on strike. was delivered on behalf to notify employer that On Fri, Aug 16, 2019 at 4:13 PM Olamide Adetunji <<u>olamide.adetunji@seiu.org</u>> wrote: Hello Ed: I am writing to follow up on a voice message I just left for you, notifying you that will need (b) (6), (b) (7)(C), (b) (7)(D) when comes affidavit. Please let me know (b) (6), (b) (C), me know if you would rather reschedule the affidavit. Thank you. On Fri, Aug 16, 2019 at 1:43 PM Olamide Adetunji <olamide.adetunji@seiu.org> wrote: Thank you Mr. Castillo, I will let know. Also, please consider this e-mail as my request to attend the giving of the affidavit telephonically, as has requested that I represent personally in this matter. Please let me know if you have any additional questions or concerns. Thank you. On Mon, Aug 12, 2019 at 3:34 PM Castillo, J. Edward < Edward. Castillo@nlrb.gov> wrote: Hi Olamide, I will plan on meeting with Please remind on to bring in any relevant documents to our meeting Thanks, Ed

From: Olamide Adetunji < olamide.adetunji@seiu.org > **Sent:** Tuesday, July 30, 2019 10:52 AM **To:** Castillo, J. Edward < <u>Edward.Castillo@nlrb.gov</u>> **Subject:** Re: Case 13-CA-244739: (b) (6), (b) (7)(C), (b) (7)(C) Hello Ed: As promised, I am writing to let you know that (b) (6), (b) (7)(C), (b) (7)(D) is available to give . I look forward t hearing back from you to affidavit at (b) (6), (b) (7)(C) on confirm this. On Thu, Jul 25, 2019 at 2:37 PM Castillo, J. Edward < Edward. Castillo@nlrb.gov> wrote: Yes, I will be out of the office after today so please send me an email letting me availability. Thanks. know Ed From: Olamide Adetunji < olamide.adetunji@seiu.org > **Sent:** Thursday, July 25, 2019 12:44 PM **To:** Castillo, J. Edward < <u>Edward.Castillo@nlrb.gov</u>> **Subject:** Re: Case 13-CA-244739: (b) (6), (b) (7)(C), (b) (7)(D) Availability for Affidavit: I believe <u>you</u> mentioned that your vacation starts Alright, I will check with tomorrow, so if I do not hear back from today, I will just send you an e-mail with the understanding that you will see it when you return. On Thu, Jul 25, 2019 at 1:25 PM Castillo, J. Edward < <u>Edward.Castillo@nlrb.gov</u>> wrote: Hi Olamide, I am not available after Can you let me know if

would be available the $^{\text{(b)},\text{(b)},\text{(f)},\text{(f)}}$ of (b) (6), (b) (7)(C) Ed J. Edward Castillo, Esq. | Field Attorney United States Government National Labor Relations Board Region 13 219 S. Dearborn Street, Suite 808 Chicago, IL 60604 T: 312.353.7586 | F: 312.886.1341 Please consider the environment before printing this e-mail. From: Olamide Adetunji < <u>olamide.adetunji@seiu.org</u>> Sent: Thursday, July 25, 2019 9:51 AM **To:** Castillo, J. Edward < <u>Edward.Castillo@nlrb.gov</u>> Subject: Case 13-CA-244739: (b) (6), (b) (7)(C) Availability for Affidavit: Hello Ed: is not available on $^{(b)}$ $^{(b)}$ $^{(b)}$ $^{(b)}$ but can do any time $^{(b)}$ $^{(b)}$ $^{(b)}$ $^{(7)}$ Please let me know if this works for you. If it does not, kindly consider proposing other times that will work for you. Thank you.

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Olamide Adetunji

Law Fellow, Fight for \$15 and a Union

Service Employees International Union

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Washington, DC 20036

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Office: (202) 730-7327 Cell: (202) 384-5482



Fast Food <strike.evidence15@gmail.com>

MCD 1951 E. 95th St

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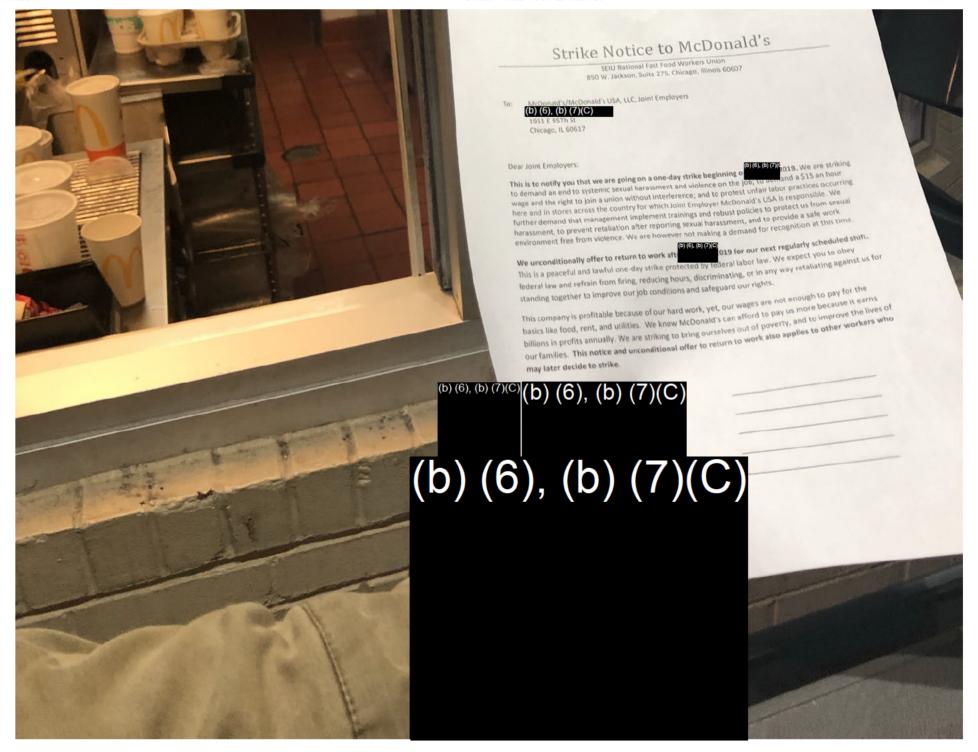
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10: "str ke.evidence15@gmail.com" <strike.evidence15@gmail.com>
Cc: Barry Bennett
bennett@laboradvocates.com>, Marquis Taylor <marquis.taylor@thefightfor15.org>

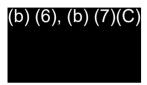
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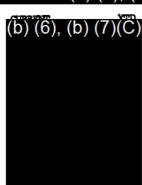
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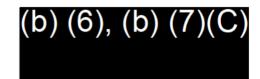
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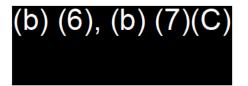
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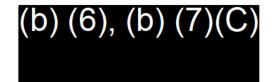
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(b) (6), (b) (7)(C)

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(b) (b) (b) (7) 2019

(b) (6), (b) (7)(C)

(b)(6),(b)(7)(C)

Regular Hours Overtime Hours

Sick Taken Sick Accrued Sick Avail Vacation Avail

Regular Pay Overtime Pay

Gross Pay

(b) (6), (b) (7)(C)

Gross Pay

- Fed-Income Tax - Fed-Medicare

- Fed-Social Security - IL -Income Tax

= Net Pay

- EFT Checking (b) (6). (b) (7)(0

= Check Amount

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

NORNAT PAYROLL dba McDONALD'S

DIRECT PAYROLL DEPOSIT

17835 Torrence Ave. Lansing, IL 60438

THIS IS NOT A CHECK

VOUCHER DATE

AMOUNT

PAY TO THE ORDER OF



(6), (b) (7

(b) (6), (b) (7)(C)

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

(b) (6), (b) (7)(C)

THIS AMOUNT HAS BEEN DIRECT DEPOSITED INTO YOUR ACCOUNT

NORNAT PAYROLL dba McDONALD'S

(b) (6), (b) (7)(C)

TIME CARD NONE

MARITAL STATUS

PAY PERIOD)(6),(0)(7-2019 to (0)(6),(0)(7-2019

CHECK DATE b) (6). (b) (5-2019

(b) (6), (b) (7)(C)

STORE # DEPARTMENT (b) (6), (b) (7)(C)

Regular Hours Overtime Hours

Sick Taken Sick Accrued Sick Avail Vacation Avail

Regular Pay Overtime Pay

Gross Pay

(b) (6), (b)

Gross Pay

- Fed-Income Tax - Fed-Medicare Fed-Social Security

- IL -Income Tax

= Net Pay

- EFT Checking

= Check Amount

NORNAT PAYROLL dba McDONALD'S

DESCRIPTION OF THE PROPERTY OF

17835 Torrence Ave. Lansing, IL 60438

DIRECT PAYROLL DEPOSIT

THIS IS NOT A CHECK

VOUCHER DATE

AMOUNT

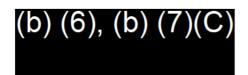
(b) (6), (b) (7)(C)

PAY TO THE ORDER OF

Gross Pay



(b) (6), (b) (7)(C)



NON-NEGOTIABLE MP
AUTHORIZED SIGNATURE

(b) (6), (b) (7)(C)

THIS AMOUNT HAS BEEN DIRECT DEPOSITED INTO YOUR ACCOUNT

NORNAT PAYROLL dba McDONALD'S

employee name TIME CARD NUMBER PRIMARY DEPARTMENT SOCIAL (b) (6), (b) (7)(C) (6) (b) (6) STATUS PAY PERIOD CHECK DATE MARTTAL (6), (b) (7), 2019 to 0)(6).(0)(7<mark>-2019</mark> (D)(6),(D)(7-2019 (b) (6), (b) (7)(C) (b) (6), (b) (7)(C Regular Hours Gross Pay Overtime Hours - Fed-Income Tax - Fed-Medicare Sick Taken Sick Accrued Fed-Social Security Sick Avail - IL -Income Tax Vacation Avail = Net Pay Regular Pay - EFT Checking Overtime Pay

= Check Amount

NORNAT PAYROLL dba McDONALD'S



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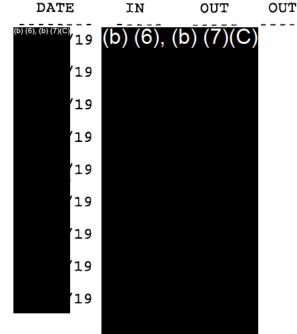
(b) (6), (b) (7)(C) 1

TIME PUNCH SUMMARY REPORT GROUP ORDERED BY NAME (D)(6), (D)(7)(C) 19 TO

FROM SHIFT PAID BREAK

NAME

ID#



HH: MM HOURS (b) (6), (b) (7)(C)

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TIME PUNCH SUMMARY REPORT GROUP ORDERED BY NAME

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FROM (b) (6), (b) (7)(C) 19 TO (b) (6), (b) (7)(C) / 19

19

DATE IN OUT OUT IN (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

HH:MM HOURS (b) (6), (b) (7)(C)

NAME

ID#

From: Castillo, J. Edward

To: Miller, Steve; Hux, James; Jonathan Linas; jmartin@jonesday.com

Subject: Nornat Management Services, Inc. and McDonald"s USA, LLC (13-CA-244739)

Date: Thursday, August 22, 2019 4:17:21 PM

Attachments: Letter requesting response to charge (13-CA-244739).pdf

Gentlemen,

Please see the attached letter requesting your response to the above charge.

Regards,

Ed

J. Edward Castillo, Esq. | Field Attorney

United States Government National Labor Relations Board Region 13 219 S. Dearborn Street, Suite 808 Chicago, IL 60604

T: 312.353.7586 | F: 312.886.1341



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PANOUAL A COMPANY A COMPAN

United States Government

NATIONAL LABOR RELATIONS BOARD

Region 13

219 South Dearborn Street - Suite 808

Chicago, Illinois 60604

FAX (312) 886-1341 Telephone (312) 353-7586 www.nlrb.gov

August 22, 2019

SENT VIA E-MAIL

Steve A. Miller, Esq. Fisher & Phillips LLP 10 South Wacker Drive, Suite 3450 Chicago, IL 60606-7592

James M. Hux Jr., Esq. Fisher & Phillips LLP 10 South Wacker Drive, Suite 3450 Chicago, IL 60606-7592 Jonathan M. Linas, Esq. Jones Day 77 West Wacker Drive, Suite 3500 Chicago, IL 60601-1701

Justin D. Martin, Esq. Jones Day 250 Vesey Street New York, NY 10281-1062

Re: Nornat Management Services, Inc. and McDonald's USA, LLC, Joint Employers Case 13-CA-244739

Dear Gentlemen:

I am writing this letter to advise you that it is now necessary for me to take evidence from your clients regarding the allegations raised in the investigation of the instant charge. Set forth below are the allegations and issues on which your evidence is needed, a request to take affidavits, a request for documentary evidence, and the date for providing your evidence.

Allegations and Issues: The allegations and issues on which I am seeking your evidence and position are as follows:

• Within the last six months, Nornat Management Services, Inc. and McDonald's USA, LLC, Joint Employers, (collectively referred to as "Employer") have violated Section 8(a)(1) and (3) of the Act by reducing (b) (6), (b) (7)(C) work hours in retaliation for union activities. More specifically, it is alleged that participated in a one day strike on participated in a one day strike on thereafter began to only schedule to work days per week rather than days per week. It also began to send shift about one day per week. These actions resulted in shift about one day per week. These actions resulted in participation in the strike.

Board Affidavits: I am requesting a position statement from you regarding the merits of the instant charge. I am also requesting to take affidavits from (b) (6), (b) (7)(C) and any other individuals you believe have information relevant to the investigation of this matter. Please be advised that the failure to present representatives who would appear to have information relevant to the investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge. Please contact me as soon as possible to schedule these affidavits.

Documents: Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

- 1. The personnel files of (b) (6), (b) (7)(C) (excluding medical records).
- 2. For the period from January 1, 2019 to the present, payroll records, time punch summary reports, and other documents showing all the days and hours worked by (b) (6), (b) (7)(C).
- 3. Memoranda, minutes, and notes reflecting the Employer's consideration and implementation of the decision to reduce the work hours of (b) (6), (b) (7)(C)
- 4. For the period from January 1, 2019 to the present, payroll records, time punch summary reports, and other documents showing all the days and hours worked by employees other than (b) (6), (b) (7)(C). Please identify each employee by name, date of hire, and job title.

Date for Providing Evidence: To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter **by Friday, August 30, 2019**. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlrb.gov**, select **File Case Documents**, enter the **NLRB case number**, and follow the detailed instructions. If I have not received all your evidence by that time or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Very truly yours,

/s/ J. Edward Castillo Field Attorney From: <u>Castillo, J. Edward</u>
To: <u>Miller, Steve; Hux, James</u>

Subject: Re: Nornat Management Services, Inc. and McDonald"s USA, LLC (13-CA-244739)

Date: Monday, September 30, 2019 11:31:00 AM

Gentlemen,

I have reviewed the position statement and exhibits that you provided to the Regional Office on September 12, 2019. I appreciate you providing the payroll records showing (b) (6), (b) (7)(C) hours worked. However, the requested payroll records for other employees were not provided. In order to complete our investigation, I am therefore requesting again that you provide the following documents by no later than Thursday October 3, 2019:

For the period from (b) (6), (b) (7)(C), 2019, payroll records, time punch summary reports, and other documents showing all the days and hours worked by employees other than (b) (6), (b) (7)(C) at the McDonald's restaurant located at 1951 E. 95th Street, Chicago, Illinois. Please identify each employee by name, date of hire, and job title.

If you have any questions, please feel free to contact me by email or at (312) 353-7586.

Ed

J. Edward Castillo, Esq. | Field Attorney United States Government National Labor Relations Board Region 13 219 S. Dearborn Street, Suite 808 Chicago, IL 60604

T: 312.353.7586 | F: 312.886.1341

From: Castillo, J. Edward

Sent: Thursday, August 22, 2019 3:17 PM

To: Miller, Steve <smiller@fisherphillips.com>; Hux, James <jhux@fisherphillips.com>; Jonathan

Linas <jlinas@jonesday.com>; jmartin@jonesday.com

Subject: Nornat Management Services, Inc. and McDonald's USA, LLC (13-CA-244739)

Gentlemen,

Please see the attached letter requesting your response to the above charge.

Regards,

Ed

J. Edward Castillo, Esq. | Field Attorney

United States Government National Labor Relations Board Region 13 219 S. Dearborn Street, Suite 808 Chicago, IL 60604

T: 312.353.7586 | F: 312.886.1341



Please consider the environment before printing this e-mail.

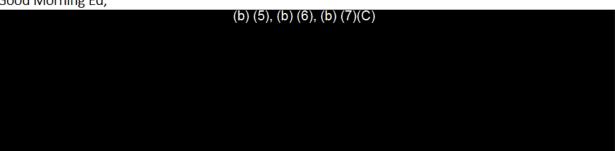
 From:
 Muth, Jessica T.

 To:
 Castillo, J. Edward

 Subject:
 Nornat 13-CA-244739

Date: Monday, September 30, 2019 10:22:00 AM

Good Morning Ed,



Additionally, please update NxGen to reflect the correct name of the Employer: Nornat III, Inc. Many thanks -- Jessica

Jessica Willis Muth Deputy Regional Attorney Region 13, NLRB (312) 353-7643 — Office (202) 215-6094--Mobile From: Nelson, Daniel N.

To: Hitterman, Paul; Castillo, J. Edward; Ohr, Peter S.; Muth, Jessica T.

Subject: RE: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

Date: Friday, October 18, 2019 10:23:15 AM

Ed - (b) (5)

From: Hitterman, Paul < Paul. Hitterman@nlrb.gov>

Sent: Friday, October 18, 2019 9:22 AM

To: Castillo, J. Edward <Edward.Castillo@nlrb.gov>; Nelson, Daniel N. <Daniel.Nelson@nlrb.gov>;

Ohr, Peter S. <Peter.Ohr@nlrb.gov>; Muth, Jessica T. <Jessica.Muth@nlrb.gov> **Subject:** RE: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

(b) (5)

From: Castillo, J. Edward < Edward.Castillo@nlrb.gov>

Sent: Friday, October 18, 2019 9:21 AM

To: Nelson, Daniel N. <<u>Daniel.Nelson@nlrb.gov</u>>; Ohr, Peter S. <<u>Peter.Ohr@nlrb.gov</u>>; Hitterman,

Paul < <u>Paul. Hitterman@nlrb.gov</u>>; Muth, Jessica T. < <u>Jessica. Muth@nlrb.gov</u>>

Subject: RE: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

Good morning,

(b) (5)

Ed

From: Nelson, Daniel N. < <u>Daniel.Nelson@nlrb.gov</u>>

Sent: Thursday, October 17, 2019 4:12 PM

To: Ohr, Peter S. < Peter.Ohr@nlrb.gov>; Hitterman, Paul < Paul.Hitterman@nlrb.gov>; Castillo, J.

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Subject: RE: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

(b) (5)

From: Ohr, Peter S. < Peter.Ohr@nlrb.gov Sent: Thursday, October 17, 2019 4:07 PM

To: Nelson, Daniel N. <<u>Daniel.Nelson@nlrb.gov</u>>; Hitterman, Paul <<u>Paul.Hitterman@nlrb.gov</u>>; Castillo, J. Edward <<u>Edward.Castillo@nlrb.gov</u>>; Muth, Jessica T. <<u>Jessica.Muth@nlrb.gov</u>>

Subject: RE: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

(b) (5)

NLRB Chicago-Region 13 219 S. Dearborn St, 808 Chicago, IL 60604 (312) 353-7574

https://www.nlrb.gov/region/chicago

https://www.facebook.com/NLRBChicago/?ref=bookmarks

-----Original Appointment-----

From: Gavina-Arriola, Maria E. On Behalf Of Ohr, Peter S.

Sent: Thursday, October 17, 2019 10:56 AM

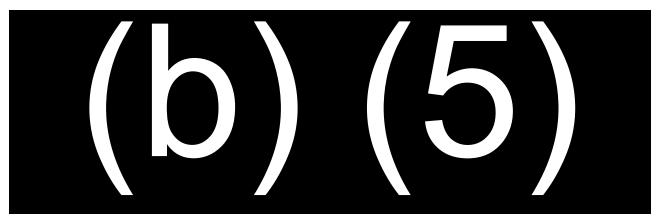
To: Ohr, Peter S.; Nelson, Daniel N.; Hitterman, Paul; Castillo, J. Edward; Muth, Jessica T.

Cc: SC-R13 Agenda

Subject: N/H Agenda AM#3 - Nornat Management Services 13-CA-244739

When: Friday, October 18, 2019 9:30 AM-10:00 AM (UTC-06:00) Central Time (US & Canada).

Where: Dan's Office



Join Skype Meeting

Trouble Joining? Try Skype Web App

Join by phone

(b) (6), (b) (7)(C) (East) English (United States) (b) (6), (b) (7)(C) (East) English (United States)

Find a local number

Conference ID: (6) (6) (7) (C)

Forgot your dial-in PIN? | Help

ORAL WITHDRAWAL REQUEST FORM

Adjusted	
Re: Nornat III, Inc. and McDonald's Case: 13-CA-244739	USA, LLC, joint employers
On October 21, 2019, Union Att undersigned that she wishes to withdwithdrawal on an oral basis. (b) (5)	torney Olamide Adetunji informed the raw the above charge and authorized
	/s/ Ed Castillo Ed Castillo
Withdrawal request approved: /s/Peter Sung Ohr (dnn)	
10/21/19	
(date)	

Case Name: Nornat Management Services, Inc. and McDonald's, USA as joint employers

Case No.: 13-CA-244739

Agent: [AGENT NAME AND TITLE]

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity

UNITED STATES GOVERNMENT

National Labor Relations Board Region 13, Chicago, IL

BOARD AGENT: Ed Castillo



PHONE/ACTIVITY LOG

Case: Nornat III, Inc. and McDonald's USA, as joint employers

13-CA-244739

DATE	<u>ACTIVITY</u>
7/23/19	EC called Union attorney Olamide Adetunji. I informed her that I had been assigned to investigate this case and needed to set up a time to take an affidavit from (b) (6), (b) (7)(C) I also explained that I would be out of the office for several weeks after 7/25. She agreed to speak to and find out availability and would then let me know what date and time worked best for
7/26/19 - 8/11/19	On annual leave
8/16/19	OA called EC. She left vm stating that (b) (6), (b) (7)(C) and to let know if the affidavit needed to be rescheduled to allow time (b) (6), (b) (7)(C).
8/16/19	EC called OA. I left vm informing her that (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) if necessary. I also stated that I was fine with her (OA) participating in the affidavit telephonically since she was attorney.
8/19/19	EC called OA and reiterated to her what I had stated in my vm on 8/16. She said that could provide the affidavit $(b)(6), (b)(7)(C)$, but just wanted to have $(b)(6), (b)(7)(C)$ during the course of affidavit. As a result, I agreed to with OA participating telephonically.
9/4/19	EC called Steve Miller (Nornat attorney). I left vm confirming that I did not receive a response to the charge by my deadline of 8/30. I told him that, if I did not receive the response by 9/6, I would recommend that the Regional Director make a decision on the merits based on the evidence in the file.
9/4/19	Jay Hux (Nornat attorney) called EC. He requested an extension of time to submit a response to the charge. I agreed to extend the deadline to 9/11.
9/4/19 - 9/22/19	On sick leave
10/1/19	JH called EC. He stated he had receive my email in which I again requested payroll records for all employees who worked at current restaurant.

	He ended the call by stating he would speak to his client about my request for the documents.
10/2/19	EC called OA and left vm asking her to call me back asap.
10/8/19	OA called EC. She apologized for the delay in calling me back and explained she was out of the office all last week. I inquired as to whether the Union had a phone number or other contact information for (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) who participated in the one day strike at the McDonald's restaurant where currently works. She said voluntarily quit job and that the Union had no contact information for the Union does not believe hours were reduced after the strike.
10/9/19	EC called JH. I left vm confirming that (b) (5) I stated that I would recommend (b) (5)
10/9/19	JH called EC. He stated that (b) (5)
10/18/19	EC called OA and left vm requesting that she call me back.
10/21/19	EC called OA. (b) (5)



UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 13 Dirksen Federal Building 219 South Dearborn Street, Suite 808 Chicago, IL 60604-2027

Agency Website: www.nlrb.gov Telephone: (312)353-7570 Fax: (312)886-1341

October 21, 2019

(Via email service unless otherwise indicated)

Steve A. Miller, Esq. & James M. Hux Jr., Esq. Fisher & Phillips LLP 10 South Wacker Drive, Suite 3450 Chicago, IL 60606-7592 smiller@fisherphillips.com jhux@fisherphillips.com

Justin D. Martin, Esq. Jones Day 250 Vesey Street New York, NY 10281-1062 jmartin@jonesday.com

Jonathan M. Linas, Esq., Partner Jones Day 77 West Wacker Drive Suite 3500 Chicago, IL 60601-1701 jlinas@jonesday.com

Re: Nornat III, Inc. and McDonald's, USA as

joint employers Case 13-CA-244739

Dear Gentlemen:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr Regional Director

cc: (b) (6), (b) (7)(C)

Nornat Management Services, Inc. 1951 E. 95th St. Chicago, IL 60617 (Via first class mail)

SEIU National Fast Food Workers Union 1800 Massachusetts Ave NW Washington, DC 20036 olamide.adetunji@seiu.org

Olamide Adetunji, Attorney

McDonald's USA 110 N. Carpenter Street Chicago, IL 60607 (Via first class mail)